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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/762,530 Confirmation No. 5543
Applicant : Minoru SANO et al.
Filed : January 23, 2004
TC/A.U. : 3763
Examiner : Nathan R. Price
Dkt. No. : NPR-135
Cust. No. : 20374

I hereby certify that this paper is being
facsimile transmitted on November 30, 2009,
to the United States Patent and Trademark
Office to facsimile number (571)273-8300.



Ronald J. Kubovcik

12/01/2009 HMARZII 00000031 10762530

01 FC:1401

540.00 OP

NOTICE OF APPEAL

Mail Stop AF
To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 30, 2009

Sir:

Applicants hereby appeal to the Board of Patent Appeals and
Interferences from the decision dated May 28, 2009, of the Primary
Examiner finally rejecting claims 1 and 3.

The items checked below are appropriate:

1. XX Petitions for extension of time to respond to the final

P:\11-09\npr-135-pro-not-appeal-est.wpd

NOV 30 2009

U.S. Patent Appln. S.N. 10/762,530
NOTICE OF APPEAL

PATENT

rejection were filed on October 28, 2009, for two months
and on November 30, 2009, for one month.

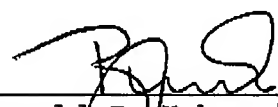
2. XX A timely response to the final rejection has been filed, as
provided in 841 O.G. 1411.

3. XX Fee \$ 540.00 or ___ Small Entity \$255.00

XX Enclosed (as part of PTO-2038 for \$1,160.00)

___ Not required (fee paid in prior appeal)

In the event this paper is not considered to be timely filed,
applicant hereby petitions for an appropriate extension of time.
The fee for this extension may be charged to our Deposit Account
No. 111833, along with any other additional fees which may be
required with respect to this paper.



Ronald J. Kubovcik
Reg. No. 25,401

KUBOVCIK & KUBOVCIK
Crystal Gateway 3
Suite 1105
1215 South Clark Street
Arlington, VA 22202
Tel: (703) 412-9494
Fax: (703) 412-9345